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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Atsushi Watanabe

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ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

Suite 600

1050 Connecticut Avenue, N.W.

Washington, DC 20036-5339

EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/046,759	<b>Applicant(s)</b> WATANABE ET AL.	
	<b>Examiner</b> David G. Cervetti	<b>Art Unit</b> 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Applicant's arguments filed August 10, 2006, have been fully considered but are not persuasive.
2. Claims 1-10 are pending and have been examined.

### *Response to Amendment*

3. The objection to claim 10 regarding the acronym is withdrawn.
4. The rejection of claims 1-10 under 35 U.S.C. 112, first paragraph is withdrawn.
5. It is respectfully submitted that Guthery-based rejection was under 35 USC 102(e), not as stated in the remarks, 102(b).
6. Examiner respectfully submits that Guthery discloses making each hardware function block separately usable or unusable and points Applicant to "the authentication table holds a list of identities that may be authenticated, hardware, and so on" (**col 7, lines 20-35**), to the authentication vector description (**col. 8, lines 20-52**), to the definition provided for what an identity is (**col. 2, lines 11-20**) ("a piece of computing hardware"), and to claim 14. More specifically, a authenticated identity (hardware) causes a bit to be set to a value which sets whether it is usable or unusable, and is used in conjunction with data access policies (coded license information). **Applicant's arguments are not persuasive.**

### *Claim Rejections - 35 USC § 102*

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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**8. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Guthery (US Patent 6,567,915).**

**Regarding claim 1, Guthery teaches a semiconductor integrated circuit (abstract), comprising:**

- a plurality of hardware function blocks (**column 7, lines 1-67**);
- a nonvolatile memory unit which stores therein coded license information indicative of a usable/unusable status separately for each of the plurality of hardware function blocks (**column 7, lines 1-67, column 8, lines 1-67**); and
- a decoder circuit which decodes the license information stored in said nonvolatile memory unit, and makes each of the hardware function blocks separately either usable or unusable depending on the decoded license information (**column 10, lines 1-67, column 11, lines 1-67**).

**Regarding claim 2, Guthery teaches a status unit that has at least part of the decoded license information stored therein in such a manner as to be accessible from an exterior of said semiconductor integrated circuit (column 6, lines 40-67, column 7, lines 1-55).**

**Regarding claim 3, Guthery teaches a calendar circuit which indicates a current date and time, wherein said decoder circuit makes said plurality of hardware function blocks usable in response to a finding that the current date and time indicated by the calendar circuit is within a valid period indicated by the decoded license information, and makes said plurality of hardware function blocks unusable in response to a finding**

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that the current date and time indicated by the calendar circuit is after a valid period indicated by the decoded license information (**column 12, lines 40-60**).

**Regarding claim 4**, Guthery teaches a counter circuit that counts a number indicative of how many times said plurality of hardware function blocks are used, wherein said decoder circuit makes said plurality of hardware function blocks usable in response to a finding that the number counted by said counter circuit is within a number of valid use indicated by the decoded license information, and makes said plurality of hardware function blocks unusable in response to a finding that the number counted by said counter circuit exceeds the number of valid use indicated by the decoded license information (**column 10, lines 55-65**).

**Regarding claim 5**, Guthery teaches a license encoder circuit which encodes the number counted by said counter circuit, wherein the number encoded by said license encoder circuit is stored in said nonvolatile memory unit as updated license information (**column 3, lines 1-67, column 10, lines 1-67, column 11, lines 1-67**).

**Regarding claim 6**, Guthery teaches wherein coding and decoding of the license information is encrypting and decrypting that prevent the license information in said nonvolatile memory unit from being illegally rewritten (**column 6, lines 1-67, column 7, lines 1-55**).

**Regarding claim 7**, Guthery teaches

- a decoder which decodes the license information stored in said nonvolatile memory unit (**column 6, lines 1-67**);

- a license register which stores therein the decoded license information decoded by said decoder (**column 6, lines 50-67, the private storage area**); and
- a control circuit which makes said plurality of hardware function blocks either usable or unusable depending on the information stored in said license register (**column 5, lines 40-67, column 6, lines 50-67**).

**Regarding claim 8**, Guthery teaches wherein said control circuit controls a chip enable signal of said plurality of hardware function blocks in order to make said plurality of hardware function blocks either usable or unusable (**column 5, lines 40-67, column 6, lines 50-67**).

**Regarding claim 9**, Guthery teaches wherein said control circuit controls a clock signal of said plurality of hardware function blocks in order to make said plurality of hardware function blocks either usable or unusable (**column 5, lines 1-67, column 6, lines 50-67**).

***Claim Rejections - 35 USC § 103***

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guthery, and further in view of Iguchi (US Patent Number: 6,198,669).**

**Regarding claim 10**, Guthery does not expressly disclose receiving the coded license information from an external large scale integration (LSI) tester, and no external pin is provided for a purpose of receiving the coded license information, but suggests

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using identifications signed by a manufacturer (**columns 5-6**). However, Iguchi teaches nonvolatile memory receiving information from an external large scale integration (LSI) tester (**column 1, lines 10-40**). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the coded license information from an external large scale integration (LSI) tester, and no external pin is provided for a purpose of receiving the coded license information. One of ordinary skill in the art would have been motivated to do so to avoid tampering the data already written to the device (**Iguchi, column 2, lines 10-67**).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Roohparvar (US Patent 6,438,068) teaches enabling/disabling a hardware/software block.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.




13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DGC

NASSER MOAZZAMI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100



10,18,06